

CALL TO ORDER

The one-hundred thirty-eighth meeting of the Water and Wastewater Operator's Advisory Council (Council) was called to order at 9:00 a.m. by Carol Reifschneider, Ph.D., MSU-Northern, Council Chairperson. Other Council members present included: Joanne "Joni" Hall Emrick, Kalispell; Council Vice Chair; Roger Thomas, Billings; Roger Skogen, Valier, Tony Porrazzo, Polson, Steve Ruhd, Conrad, and Jon Dilliard, DEQ Public Water and Subdivision Bureau Chief.

Department personnel attending all or portions of the meeting were Jenny Chambers, Certification Officer; Reta Therriault, Certification Technician; Ashley Eichhorn, Certification Technician, Ruby Miller, Reimbursement Grant Accountant Technician; John Camden, Public Water Supply Section Supervisor and Scott Anderson, Anderson-Montgomery Engineering.

MINUTES APPROVED

The minutes from the previously held meeting on September 25, 2003 were unanimously approved following a motion by Roger T. and a second by Steve.

ELECTION OF NEW MEMBERS

Carol opened the floor for nominations for Chairman, in accordance with 37-42-201, MCA, which states, "annually, when new members are appointed to the council, a chairman shall be elected at the next council meeting". Roger T. nominated Carol to continue for one-more term as Chairman and Steve seconded. Nominations were closed nominations and the motion was passed unanimously. Carol then opened the floor for nominations for Vice-Chairman. Steve nominated Joni to continue for one-more term and Roger T. seconded. Nominations were closed and the motion was passed unanimously.

UPDATE ON DEQ REORGANIZATION

Jon D. provided an update to Council members regarding the recently reorganization completed by DEQ. It all started when a legislative auditor's review determined that Underground Storage Tank (UST) Permitting Program in the department's Remediation Division was in fact a "permitting" function. As such, the legislative auditor recommended that the Tank Program be placed with other similar programs in the Permitting and Compliance Division. In order to move the UST program into the Permitting and Compliance Division there was obviously going to have to be changes and shuffling of programs. A decision was made that this was the opportune time to deal with some of the other beneficial changes that have come to light since the last reorganization. In general, the new organization of the department has moved to a

more media oriented format, i.e., water – air – waste. Consideration was also given to putting programs together that frequently interact with each other on different portions of the same project. So, in the Permitting and Compliance Division the waste management programs became the Waste and Underground Tank Management Bureau; the air permitting, compliance, and modeling programs became the Air Resources Management Bureau; public water supply and subdivision review became the Public Water and Subdivisions Bureau. In the Planning, Prevention and Assistance Division the watershed, water standards, and monitoring programs were combined in the Water Quality Planning Bureau; water pollution, source water protection, and the SRF funding programs are in the Technical and Financial Assistance Bureau; and the energy programs along with pollution prevention and assistance are now the Air, Energy, and Pollution Prevention Bureau. Jon D. stated things are going smooth and staff is adjusting well. Along with the overall structure of DEQ, the Public Water and Subdivisions Bureau, which contains the Public Water Supply Section, Operator Certification Program, and the Subdivisions Section will be reviewing internal bureau functions and possible changes may take place in the future.

ABC WATER EXAM PROCESS

Scott Anderson from Anderson-Montgomery Engineers provided the Council a project status report on the water exams and an overview of the entire process. Scott informed the Council that the Montana specific “Needs-to-Know” for all 11 different classification types are complete. Study guides have been modified and reviewed based on the new “Needs-to-Know”. The “Needs-to-Know” and a set of criteria were sent to the Association of Boards of Certification (ABC) to generate a initial batch of examinations for review. The examinations were received by the department and disseminated to 11 different department staff based on area of expertise and classification type. Scott stated that he reviewed all the comments by reviewers and presented a summary to Jenny. On May 7, 2004, Jenny sent the summary and the new request for question changes to ABC. Scott indicated that new examinations should be back from ABC in a few weeks. An internal department committee will review the new examinations and finalization will take place in June. The new water examinations will be administered starting with the Fall Water School at the October 1, 2004 examination.

After the examinations are final, the study guides and the supplemental Groundwater Manual will be reviewed again. Also, to ensure that department staff and other Training Providers that

assist with exam-preparatory sessions are aware of the new format of exams, they will be invited to a workshop that will outline the new format of examinations, evaluate the ABC criteria for questions development, and discuss possible ways to modify exam-preparatory training.

WATER SCHOOL AND EXAM REPORT

Reta reported to the Council members on the office exams and the designated location exams administered since the September Council meeting. A table was provided that summarized the following: on January 16, 2004, 3 people took 3 examinations and 66.67% passed and 33.33% failed; on February 20, 2004, 22 people took 25 examinations and 76% passed and 24% failed; on March 20, 2004, 23 people took 25 examinations and 72.62% passed and 27.38% failed; on April 3, 2004 in Billings, 39 people took 47 examinations and 65.96% passed and 34.04% failed; on April 3, 2004 in Great Falls, 3 people took 5 examinations and 80% passed and 20% failed; on April 3, 2004 in Havre, 4 people took 8 examinations and 87.50% passed and 12.50% failed; on April 3, 2004 in Miles City, 1 person took 1 examination and 0% passed and 100% failed; on April 3, 2004 in Missoula, 1 person took 1 examination and 100% passed and 0% failed; and office examinations from September 2003 through May 2004 included 22 people took 22 examinations and 63.64% passed and 36.36% failed.

Reta suggested that the Council members evaluate the Spring location sites for Miles City and Missoula and consider canceling these locations in the future due to lack of interest. Council members discussed and recommended that we continue to offer these locations. However, if 3 or fewer individuals are signed up at these locations by the registration deadline, then we should cancel location and provide alternative options for applicants to take exams.

Jenny reported that there were an approximate total of 150 participants for the 2004 Spring Water Schools held in Kalispell and Billings.

REIMBURSEMENT PROGRAM UPDATE

Ruby indicated that she processed reimbursement packages that totaled \$83,543.70. Of this total amount, \$14,853.30 was reimbursed to training providers to fund special training sessions and out-of-state speakers. These sessions and training events have benefited approximately 800 operators or system owners. The total amount is lower than anticipated, but she thinks that with continuing marketing efforts the amount of money reimbursed will

increase. Reimbursement renewal forms were sent out again with the fiscal year 2005 renewal invoices.

Ruby explained that the Operator Reimbursement Oracle database is completed and data is being tracked in both the Oracle database and an Excel spreadsheet. Ruby and Jenny are currently working with DEQ Information Technology staff to modify and develop query reports to adequately view data that is recorded.

The reimbursement forms were simplified and Ruby is working on articles to be published in the Fall Big Sky Clearwater. Jenny stated that she will research how other States are using their reimbursement funds and provide a summary to the Council at the Fall Council meeting

RULE UPDATE

Jenny provided copies of the proposed rule amendments and the comment summary and justification document to the Council. The public hearing was held on April 5, 2004 and no comments were received during the hearing. The proposed rule amendments were adopted as proposed and filed with the Secretary of State's office on April 26, 2004. Summary of rule amendments include: an examinee can no longer review their examination at a department's office, the wastewater renewal fee increased to \$40.00, continuing education credits are now allowed for breaks during training sessions, and a maximum amount of 0.05 credits will be granted to vendor show participants.

RENEWAL UPDATE

Ashley Eichhorn stated that a total of 1598 renewal invoices for fiscal year 2005 were mailed on April 27, 2004. As of May 13, 2004, \$12,700.00 has been received and processed for renewals.

COMPLIANCE STATUS REPORT AND ENFORCEMENT

Reta handed out copies of the May 2004 Compliance Status Report showing a compliance rate of 98.92% for Community, 97.30% for Non-Transient Non-Community, and 98.99% for Wastewater systems. Jenny and Reta discussed the new Compliance Status Report. The compliance records are no longer being tracked in an Excel spreadsheet format and the records are being stored in our Oracle module. An Access query and report are generated to pull out information that is stored. This provides an easier format for record-keeping, ability to historically track data, and a user-friendly system for checking and verifying information. Jenny and Reta are currently working with DEQ IT to provide a roll-up report that allows input of a date parameter function. This report will be useful for determine number of compliance records for a calendar year and other reporting

requirements for the annual Environmental Protection Agency program report.

The issue regarding the Administrative Order (AO) of Reprimand filed against the operator in Billings is now complete. The Department filed the AO to the certified water operator because responsible care, judgment and application of operator's knowledge and ability was not used in performance of operator's duties.

The Department issued an AO with penalties against a wastewater system for not having a certified wastewater operator. This case is still pending.

WEBSITE UPDATE AND
CONTINUEING
EDUCATION CREDIT
PILOT PROJECT

Ashley informed the Council that our website has moved to a new server and she was required to learn a new program to publish and modify information. With this transition, the Department is evaluating ways for interested individuals to check Continuing Education Credits on-line. This option will be useful for water and wastewater operators, as well as people associated with the Underground Storage Tank program.

NEW PROGRAM
PROJECTS

Jenny discussed that the Public Water Supply rules require that a certified operator must take bacteriological samples. There was an instance in Bozeman where several systems contracted with an organization to collect samples and this organization was allowing a non-certified operator to collect monthly bacteriological samples. Violation letters were sent to the operators, system owners, and administrative contacts. Jenny informed the Council that she thinks that there are bacteriological samples taken for systems by non-certified operators. Semi-annually a Community and Non-transient Non-community system check will be completed to ensure certified operators are collecting bacteriological samples and letters will be sent as necessary.

Jenny also discussed the possibility of developing new classifications and examinations for collection system operators and on-site septic systems/drain fields. The Council members discussed both and was not sure about certifying on-site septic system/drain field personnel. The collection system classification and examination proposal will be discussed more at the next meeting. Jenny will put together a proposal outlining possible classification based on population and/or type of system. It was determined that this may be beneficial for the larger systems in Montana without impacting all small collection systems.

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Water and Wastewater Advisory Council
May 20, 2004
Helena, Montana

ABC Environmental
Compliance Inspector
Questionnaire

Jenny provided a copy of the Environmental Compliance Inspector Questionnaire to the Council to provide them with an example of information requested by ABC periodically. They are proposing to develop a Environmental Compliance Inspector program for certification and requested feedback on interests by the States. Jon D. talked briefly about how this would be beneficial to county sanitarians. Council and others present determined that Montana does not necessary have a need for this type of certification at this time. Jenny will sent comments and response back to ABC.

DATE OF NEXT
MEETING

The next meeting will be September 30, 2004 in Bozeman at 1:30 p.m.

ADJOURNMENT

Carol adjourned the meeting and the motion to adjourn was unanimous.